

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                  |   |                 |                |
|------------------|---|-----------------|----------------|
| Applicant(s):    | Pedersen  | Docket No.:     | 2005IN02       |
| Application No.: | 10/533,696  | Group Art Unit: | To be assigned |
| Filing Date:     | May 3, 2005   | Examiner:       | To be assigned |
| Title:           | Adaptive Broadband Platforms And Methods Of Operation |                 |                |

**PETITION UNDER 37 CFR §1.47(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Applicant asks that the Declaration filed herewith signed by only one of the two joint inventors be accepted as sufficient for filing the present application.

Named inventors of the present application include Erling J. Pedersen and Roc A. Lastinger. The Declaration signed by Roc A. Lastinger and a complete copy of the application including claims was sent to the last known address of Erling J. Pedersen, namely:

Erling J. Pedersen  
1845 Merion Lane  
Coral Springs, Florida 33071

I sent the materials August 8, 2006 via USPS Express Mail, certified with return receipt requested. The unopened Express Mail envelope was returned to me. Enclosed are a photocopy of the envelope as returned by USPS, a copy of the Express mail receipt showing date mailed, and a copy of the USPS tracking report from the website www.usps.gov stating that the delivery was refused on August 16, 2006.

This petition accompanies a proper Declaration signed by Roc A. Lastinger filed

09/06/2006 LLANDGRA 00000045 10533696  
herewith.

05 FC:1464

130.00 DP

This petition and prosecution of the present application without the signature of the inventor Erling J. Pedersen who has refused to execute the present application is necessary to preserve the rights of the assignee of the entire interest in this application and to prevent irreparable damage to the assignee which would occur if the present application cannot be

prosecuted. The assignee of the entire interest in the parent PCT application S/N PCT/US03/036077 is Lyndale Trading Company Ltd., an assignment to that effect being recorded in the USPTO at reel 015119 frame 0311, copy enclosed.

The fee for this petition under 37 CFR §1.17(h) is filed herewith.

Respectfully submitted,

Date: August 25, 2006

William R. Bachand  
William R. Bachand  
Reg. No. 34,980

Bachand Law Office  
P.O. Box 54244  
Phoenix, AZ 85078  
(602) 326-6237

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Bachand Law Office  
19802 N 32nd Street #150  
Phoenix, AZ 85050  
August 8, 2006

Mr. Erling Pedersen  
1845 Merion Lane  
Coral Springs, FL 33071

Dear Erling:

The enclosed patent application was filed in the US as a national phase of a PCT patent application that you and Roc Lastinger developed. To meet a requirement of US Patent law, please review carefully and sign the Declaration enclosed. The Declaration states that you have read the patent application. I enclose a copy of it for your review which you may keep for your records. Please return the signed Declaration within 3 days of receipt of this letter. You may FAX a copy to 480-991-0791 with a cover sheet directing it to me by name. The original signed copy should be promptly mailed to the above address. First class mail is sufficient.

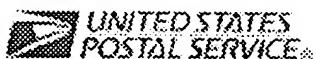
Thank you for your attention to this matter.

Very truly yours,



William R. Bachand

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 13, 2004

PTAS



\*102702552A\*

SQUIRE, SANDERS & DEMPSEY LLP  
WILLIAM R. BACHAND  
TWO RENAISSANCE SQUARE  
40 NORTH CENTRAL AVENUE, SUITE 2700  
PHOENIX, ARIZONA 85004-4498

### UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/22/2004

REEL/FRAME: 015119/0311

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

EQUITAR LLC

DOC DATE: 01/17/2004

ASSIGNEE:

LYNDALE TRADING COMPANY LIMITED  
GROSVENOR COURT, TOWER STREET  
OCRA (ISLE OF MAN) LIMITED  
RAMSEY, ISLE OF MAN IM8 1JA

SERIAL NUMBER: 60328909

FILING DATE: 10/11/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: WIRELESS INTERACTIVE SUPER BROADBAND COMMUNICATIONS NETWORK

SERIAL NUMBER: 10269115

FILING DATE: 10/07/2002

PATENT NUMBER:

ISSUE DATE:

TITLE: BROADBAND COMMUNICATION PLATFORM AND METHODS OF NETWORK OPERATION

015119/0311 PAGE 2

SERIAL NUMBER: 60425016 FILING DATE: 11/08/2002  
PATENT NUMBER: ISSUE DATE:  
TITLE: BROADBAND COMMUNICATION PLATFORM AND METHODS OF NETWORK OPERATION

SERIAL NUMBER: FILING DATE:  
PATENT NUMBER: ISSUE DATE:  
PCT NUMBER: US0232474  
TITLE:

SERIAL NUMBER: FILING DATE:  
PATENT NUMBER: ISSUE DATE:  
PCT NUMBER: US0336077  
TITLE:

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102702552

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## 1. Name of conveying party(ies):

Equitar LLC

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_01/17/2004; and 01/18/2004  
Execution Date:

## 2. Name and address of receiving party(ies)

Name: Lyndale Trading Company Limited

Internal Address: \_\_\_\_\_

Street Address: OCRA (Isle of Man) Limited,

Grosvenor Court, Tower Street

City: Ramsey, Isle of Man State: Zip: IM8 1JA

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

60/328,909

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: William R. Bachand

Internal Address: Squire, Sanders &amp; Dempsey LLP

Street Address: Two Renaissance Square

40 North Central Avenue, Suite 2700

City: Phoenix State: AZ Zip: 85004-4498

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 200.00

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William R. Bachand, Reg. No. 34,980

March 19, 2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 4

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**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

10/269,115

PCT/US02/32474

60/425,016

**Patent Number(s)**

PCT/US03/36077

## ASSIGNMENT

WHEREAS, EQUITAR LLC (hereinafter "ASSIGNOR"), a limited liability company organized and existing under and by virtue of the laws of the State of Nevada, having a mailing address of 309 Shadow Ridge Cir., Simpsonville, South Carolina 29681 is the owner of patent applications listed on the attached schedule;

AND WHEREAS, LYNDALE TRADING COMPANY LIMITED (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the Isle of Man having a mailing address of OCRA (Isle of Man) Limited, Grosvenor Court, Tower Street, Ramsey, Isle of Man, IM8 1JA is desirous of acquiring an interest therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR by these presents does sell, assign, and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right to the inventions as described in the attached schedule, in the United States and all foreign countries, together with the right of priority under all international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner for Patents to issue Letters Patent to ASSIGNEE, for the sole use and benefit of ASSIGNEE, its successors, assigns and legal representatives.

AND HEREBY AGREES to transfer a like interest upon request of ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, in and to any applications for patents based thereon, growing out of or relating to the inventions; and to provide all reasonable assistance and execute any papers deemed essential by ASSIGNEE, its successors, assigns and legal representatives, to ASSIGNEE's full protection and title in and to the invention hereby transferred,

AGREEING, FURTHERMORE, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

EXECUTED as of the date(s) written below by ASSIGNOR:

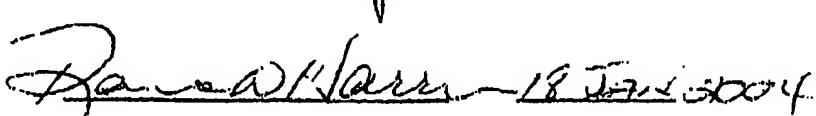
ASSIGNORSIGNATUREDATE

For Equitar LLC

Donald C. Spann

  
Donald C. Spann 17 JAN 2004

Robert H. Harrison

  
Robert H. Harrison 18 JAN 2004

## SCHEDULE OF PATENT APPLICATIONS

| Application No. | Filing Date   | Description   |
|-----------------|---------------|---|
| 60/328,909      | Oct. 10, 2001 | U.S. provisional patent application for "Wireless Interactive Super Broadband Communications Network"       |
| 10/269,115      | Oct. 7, 2002  | U.S. patent application for "Broadband Communication Platform and Methods of Network Operations"            |
| PCT/US02/32474  | Oct. 9, 2002  | PCT patent application for "Broadband Communication Platform and Methods of Network Operation"              |
| 60/425,016      | Nov. 8, 2002  | U.S. provisional patent application for "Broadband Communication Platform and Methods of Network Operation" |
| PCT/US03/36077  | Nov. 7, 2003  | PCT patent application for "Adaptive Broadband Platforms and Methods of Operation"                          |